

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Initially, Applicants would like to thank the Examiner for the allowance of claims 3, 8, 12, 18 and 19.

In the Office Action, the Examiner rejects claims 1, 2, 4-7, 9-11 and 13-17. Claims 1, 4, 5, 6, 9, 10 and 15 are rejected under 35 U.S.C. §102(e) as being allegedly anticipated by U.S. Patent Application Publication No. 2001/0017517 to Yamazaki (hereinafter "Yamazaki"). Claims 2, 7 and 16 are rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Yamazaki in view of U.S. Patent No. 6,433,487 to Yamazaki (hereinafter "Yamazaki 2"). Claim 11 is rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Yamazaki in view of Yamazaki 2 in further view of Applicant's admitted prior art. Claims 13 and 14 are rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Yamazaki in view of Applicant's admitted prior art. Claim 17 is rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over U.S. Patent No. 6,392,340 to Yoneda (hereinafter "Yoneda") in view of Yamazaki 2.

On October 5, 2004, an Examiner interview was conducted in regard to the allowable subject matter of the present application, which was not clear as per the Office Action, but was clarified during the interview. In response, Applicants have amended the independent claims to reflect the allowable subject matter. Specifically, independent claims 1, 2, 4, 5 and 15-17 have been amended to include allowable subject matter. As only allowable subject matter has been added that is reflected in the allowed claims, Applicants respectfully submit that no new matter has been added by way of the amendment to the independent claims.

In the Office Action, on page 10, and during the interview, the Examiner stated that the allowable subject matter of claim 3 is that the first electrode layer or second electrode layer made

of the transparent material in plane view has a comb shape partly having circular regions. Therefore, independent claims 1, 2, 4, 5, 16 and 17 have been amended to recite that the transparent material in plane view has a comb shape partly having circular regions.

In the present invention, openings 14 are made in the transparent electrode 11. Thereby, the distance where the rays have to be propagated in the luminous material(s) and the transparent electrode material(s) can be reduced. Therefore, the luminous efficiency can be increased. As shown in Fig. 11, a transparent electrode 11a and a reflecting electrode 13a shown in Fig. 11 have a comb shape partly having circular regions, respectively.

Further, the Examiner states in the Office Action that claim 18 is allowable because the first electrode layer is made of a transparent material. However, claims 2, 4, 16 and 17 also recite this limitation but have not been allowed. The Examiner, during the interview, clarified that it was the combination of the first electrode layer being of a transparent material, the second electrode layer being of a reflecting material, and the plurality of intermittently spaced openings that are formed to at least one of the insulating base material and at least one material placed above the insulating base material and below the luminous material layer in the TFT fabrication process that is the allowable feature of the claim. Therefore, independent method claim 15 has been amended to reflect these features.

Accordingly, as the independent claims have been amended to include allowable subject matter, Applicants respectfully submit that the claims are novel over the cited references. Therefore, Applicants respectfully request withdrawal of the 35 U.S.C. §102(e) rejection of claims 1, 4, 5, 6, 9, 10 and 15 under Yamazaki, the 35 U.S.C. §103(a) rejection of claims 2, 7 and 16 over Yamazaki in view of Yamazaki 2, the 35 U.S.C. §103(a) rejection of claim 11 over Yamazaki in view of Yamazaki 2 in further view of Applicant's admitted prior art, the 35 U.S.C.

§103(a) rejection of claims 13 and 14 over Yamazaki in view of Applicant's admitted prior art, and the 35 U.S.C. §103(a) rejection of claim 17 over Yoneda in view of Yamazaki 2. Further, Applicants respectfully request allowance of claims 1-19.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' attorney would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,



Aasheesh V. Shravah
Registration No. 54,445

SCULLY, SCOTT, MURPHY & PRESSER
400 Garden City Plaza - Ste. 300
Garden City, New York 11530
(516) 742-4343

AVS:jam